

ORDINANCE NO. 2013-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING THE GRAPEVINE CODE OF ORDINANCES BY AMENDING CHAPTER 23 TRAFFIC, ARTICLE VI COMMERCIAL AND OTHER OVERSIZED VEHICLES; AUTHORIZING THE ERECTION OF TRAFFIC REGULATION SIGNS; REPEALING CONFLICTING ORDINANCES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS:

Section 1. That Chapter 23 Traffic, Article VI Commercial and Other Oversized Vehicles, of the Grapevine Code of Ordinances, is hereby amended in its entirety to read as follows:

"ARTICLE VI. COMMERCIAL AND OTHER OVERSIZED VEHICLES

Sec. 23-70. Truck routes – Designated; truck traffic prohibited elsewhere.

- (a) It shall be unlawful to operate a commercial motor vehicle on any street in the city except upon the following described streets and highways located in the city, as shown in the attached Exhibit "A" and on file in the office of the city secretary:
- (1) All state highways and interstate highways within the city, including associated frontage roads, service roads, and ramps;
 - (2) Grapevine Mills Boulevard North from Farm Road 2499 on the west to State Highway 121 on the east;
 - (3) Bass Pro Drive from State Highway 26 on the west to the Grapevine city limit on the east;
 - (4) Northwest Highway from State Highway 114 on the west to State Highway 26 on the east;
 - (5) Ira E. Woods Avenue from the State Highway 26 Direct Connector Ramps on the west to the State Highway 114 westbound frontage road on the east; and
 - (6) William D. Tate Avenue from State Highway 114 on the north to the Grapevine city limit on the south.

- (b) It shall be unlawful to transport hazardous materials in a particular form and amount regulated by the United States Secretary of Transportation under 49 U.S.C. § 5103 on Fairway Drive from the Grapevine city limit on the north to State Highway 26 on the south.
- (c) The provisions of this section shall not apply:
 - (1) To vehicles traveling to or from a place of performing a service or a place of loading or unloading off of a designated truck route, using the shortest practicable route from and back to the designated truck route. The operators of such vehicles shall carry evidence of the location of the place of performing a service or the place of loading or unloading in order for this exception to apply;
 - (2) To emergency vehicles operating in response to any emergency call;
 - (3) To vehicles operated by a public utility or political subdivision while cruising in an assigned area for the purpose of inspecting the facilities of said agency and/or providing maintenance service to said facilities.
- (d) The city manager has the authority to place or have placed appropriate signs as are deemed necessary to notify operators of vehicles that truck traffic is prohibited. However, the failure of the city manager to erect any such sign shall not be a defense to any violation of this article, provided the truck route map has been filed with the office of the city secretary.

Sec. 23-71. Parking of trailers and commercial and oversized vehicles on city streets.

- (a) It shall be unlawful to park any trailer on any street, alley, or public right-of-way, including sidewalks and drive approaches in the public right-of-way, of the city. This section shall not prevent the parking or standing of a trailer for the purposes of expeditiously loading or unloading passengers, freight or merchandise.
- (b) It shall be unlawful to park any oversized vehicle, or commercial vehicle, on any street, alley or public right-of-way of the city. This section shall not prevent the parking or standing of an oversized vehicle, or commercial vehicle, for the purposes of expeditiously loading or unloading passengers, freight or merchandise, providing such oversized vehicle or commercial vehicle does not obstruct normal passage of vehicular traffic on such street, alley or public right-of-way.
- (c) This section shall not apply to the above-mentioned commercial vehicles used by public service utility companies engaged in repairing or extending public service utilities or to such vehicles used during construction at a construction site, or any commercial moving vehicle actively engaged in a

moving operation. This section shall also not apply to any vehicle engaged in street construction, maintenance or repair.

- (d) This section shall not prevent the parking or standing of any trailer or commercial vehicles or oversized vehicle engaged in providing services or materials to a location on the same street, alley or public right-of-way of the city on which the trailer or oversized vehicle is parked, provided the trailer or oversized vehicle complies with the following:
 - (1) The trailer or oversized vehicle must not obstruct normal passage of vehicular traffic on any street, alley or public right-of-way.
 - (2) The trailer or oversized vehicle complies with all other laws and regulations.
- (e) This section shall not prevent the parking or standing of recreational vehicles, recreational trailers, motor homes or boats on the same street, alley or public right-of-way of the city for a period not to exceed 24 hours."

Section 2. That the City Manager, or his agent, is hereby authorized to have the proper traffic signs erected, constructed, and placed at such points along said highways, streets or alleys, or portions thereof under construction, maintenance, or repair, so that travelers will be reasonably notified of said traffic regulations.

Section 3. That all ordinances or any parts thereof in conflict with the terms of this ordinance shall be and hereby are deemed repealed and of no force or effect provided, however, that the ordinance or ordinances under which the cases currently filed and pending in the Municipal Court of the City of Grapevine, Texas shall be deemed repealed only when all such cases filed and pending under such ordinance or ordinances have been disposed of by a final conviction or a finding of not guilty, nolo contendere, or dismissal.

Section 4. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction in the Municipal Court, shall be fined in an amount not to exceed the sum of Five Hundred Dollars (\$500.00) for each offense and a separate offense shall be deemed committed each day during or on which an offense occurs or continues.

Section 5. That if any section, article, paragraph, sentence, clause, phrase or word in the ordinance, or application thereto any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 6. That the fact that the present ordinances and regulations of the City of Grapevine, Texas do not adequately regulate the traffic within the City creates an emergency and the preservation of the public health, safety, and welfare requires that this ordinance take effect immediately from and after the date of its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 7th day of May, 2013.

APPROVED:



William D. Tate
Mayor



ATTEST:



Jodi C. Brown
City Secretary

APPROVED AS TO FORM:



John F. Boyle, Jr.
City Attorney

CITY OF GRAPEVINE - Authorized Truck Routes

EXHIBIT A TO ORD. 2013-18
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**Hazardous materials
prohibited across Dam**

